

**AN ORDINANCE FOR RANDOLPH COUNTY WITH RESPECT
TO IMPOSING A MONTHLY 911 CHARGE**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
RANDOLPH COUNTY:**

Section 1. PURPOSE

In the public interest and for the promotion of the public health, safety, welfare and convenience and pursuant to statutory authority contained in North Carolina General Statute Chapter 62A entitled "Public Safety Telephone Act," this ordinance sets forth the funding mechanism for which a toll free number can be provided through which an individual in Randolph County can gain rapid, direct access to public safety aid. The number shall be provided with the objective of reducing response time to situations requiring law enforcement, fire, medical, rescue, or other public safety service.

Section 2. DEFINITIONS

The following definitions apply in the interpretation and enforcement of this ordinance:

(a) "911 System" or "911 Service" means an emergency telephone system that provides the user of the public telephone system the ability to reach a public safety answering point by calling the digits 911. The term "911 System" or "911 Service" also includes "Enhanced 911 Service," which means an emergency telephone system that provides the user of the public telephone system with 911 service and, in addition, directs 911 calls to appropriate public safety answering points by selecting routing based on the geographical location from which the call originated and provides the capability for automatic number identification and automatic location identification features.

(b) "911 Charge" means a contribution to Randolph County for the 911 service start-up equipment costs, subscriber notification costs, addressing costs, billing costs, and non-recurring and recurring installation, maintenance, service, and network charges of the service supplier providing 911 service.

(c) "Exchange Access Facility" means the access from a particular telephone subscriber's premises to the telephone system of a service supplier. Exchange access facilities include service supplier-provided access lines, PBX trunks and centrex network access registers, all as defined by tariffs of the telephone company as approved by the North Carolina Utilities Commission. Exchange access facilities do not include service supplier owned and operated telephone pay station lines, or Wide Area Telecommunication Service (WATS), Foreign Exchange (FX), or incoming-only lines.

(d) "Public Safety Telephone Act" means N.C. General Statute 62A-1 et seq.

(e) "Service Supplier" means a person or entity who provides exchange telephone service to a telephone subscriber.

(f) "Telephone Subscriber" or "Subscriber" means a person or entity to whom exchange telephone service, either residential or commercial, is provided and in return for which the person or entity is billed on a monthly basis. When the same person, business, or organization has several telephone access lines, each exchange access facility shall constitute a separate subscription.

Section 3. MONTHLY 911 SERVICE CHARGE

(a) Effective November 15, 1995, there is imposed a monthly 911 service charge, in the amount of \$.65 per month, upon each exchange access facility subscribed to by telephone subscribers whose exchange access lines are in the area served by the 911 service in Randolph County.

(b) Service suppliers shall be responsible for collecting and remitting to the County the 911 charges in accordance with the provisions of the Public Safety Telephone Act of July 6, 1989 (N.C.G.S. Chapter 62A).

Section 4. EMERGENCY TELEPHONE SYSTEM FUND

(a) Administration. The 911 charges, less the one percent administrative fee permitted by law, collected during the month on behalf of Randolph County, shall be remitted by the service providers to the Randolph County Finance Officer within ten days after the last day of the month. The Finance Officer shall process all receipts and disbursements in accordance with the Public Safety Telephone Act of July 6, 1989.

(b) Establishment of Fund. The Randolph County Finance Officer shall deposit the charges in a separate, restricted fund that shall be known as the Emergency Telephone System Fund. The Randolph County Finance Officer may invest money in the Fund in the same manner that other County money may be invested, but any income earned from such an investment must be deposited in the Emergency Telephone System Fund.

(c) Payments from the Fund. Money from the Fund shall be used only to pay for the following items:

(1) The lease, purchase, or maintenance of emergency telephone equipment, including necessary computer hardware, software and database provisioning, addressing, and nonrecurring costs of establishing a 911 system; and

(2) The rates associated with the service supplier's 911 service and other service supplier recurring charges; and

(3) Reimbursement of expenses incurred by Randolph County in establishing a 911 system before the effective date of the ordinance establishing a user fee for 911 service.

(4) The sum of \$194,927.89 shall be paid to the Randolph County General Fund on or before

November 30, 1995, as repayment of interfund loans made during fiscal year 1990-91.

(5) The Randolph County Emergency Telephone System Fund is hereby authorized to borrow up to a maximum amount of \$1,165,000.00 during fiscal year 1992-93 from the Randolph County General Fund at a simple interest rate of six percent (6%) per annum. Said loan and all accrued interest shall be paid in full to the Randolph County General Fund on or before November 30, 1995. Repayments by the Randolph County Emergency Telephone System Fund to the Randolph County General Fund shall first be applied to the payment of the principal obligation.

Section 5. PENALTY FOR MISUSE OF 911 SYSTEM

Any person who intentionally calls the 911 number for other than the purposes of obtaining public safety assistance commits a misdemeanor.

Section 6. EFFECTIVE DATE

This ordinance shall become effective February 4, 1991.


Upon motion of Commissioner Floyd Langley, seconded by Commissioner Kenyon Davidson, the foregoing ordinance was passed by the following vote:

Ayes: Frye, Langley, Davidson, Comer, Petty

Noes: None

I, Alice D. Dawson, Clerk to the Randolph County Board of Commissioners, do hereby certify that the foregoing ordinance was duly adopted by the governing body of Randolph County at a regular meeting thereof, a quorum being present.

The 4th day of February, 1991.


Clerk to the Board

This ordinance was amended October 7, 1991, by adding Section 4(c)(4), which reads in its entirety as follows:

“The sum of \$194,927.89 shall be paid to the Randolph County General Fund on or before November 30, 1995, as repayment of interfund loans made during fiscal year 1990-91.”

This ordinance was amended August 3, 1992, by adding Section 4(c)(5), which reads in its entirety as follows:

“The Randolph County Emergency Telephone System Fund is hereby authorized to borrow up to a maximum amount of \$1,165,000.00 during fiscal year 1992-93 from the Randolph County General Fund at a simple interest rate of six percent (6%) per annum. Said loan and all accrued interest shall be paid in full to the Randolph County General Fund on or before November 30, 1995. Repayments by the Randolph County Emergency Telephone System Fund to the Randolph County General Fund shall first be applied to the payment of the principal obligation.”

This ordinance was amended July 10, 1995 by deleting Section 3(a), which read in its entirety, as follows:

“Effective June 10, 1991, there is imposed a monthly 911 service charge, in the amount of \$1.00 per month, upon each exchange access facility subscribed to by telephone subscribers whose exchange access lines are in the area served by the 911 service in Randolph County.”

and by adding a new Section 3(a), which reads in its entirety, as follows:

“Effective November 15, 1995, there is imposed a monthly 911 service charge, in the amount of \$.65 per month, upon each exchange access facility subscribed to by telephone subscribers whose exchange access lines are in the area served by the 911 service in Randolph County.”